

REMARKS

Applicants acknowledge the Examiner's objection to "snap in" and, as a result, have made the appropriate change to "snap-in" in the specification. The Applicants note the Examiner's acknowledgment of the use of the trademark "FAKRA" in the Applicants' Specification and Claims.

Turning now to the rejections under 35 U.S.C. §102, Claims 1, 2, 4-7, 9 and 10 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,741,159 to Wright et al.(referred to herein as "159" or "Wright '159"). Applicants note with appreciation the phone call of July 17, 2002 to verify that it was Wright U.S. Patent No. 5,741,159 which served as the basis of rejection. Applicants assert that for the reasons set forth below in detail, this rejection is now obviated.

A reference anticipates a claim if it discloses each and every element of the claim. Thus, anticipation is determined by "identifying the elements of the claims, determining their meaning in light of the specification and prosecution history, and identifying corresponding elements disclosed in the allegedly anticipating reference". Lindeman, Mazchin and Fabric GmbH v. American Hoist and Derrick Co., 730 F.2d 1452, 1458 (Fed. Cir. 1984). The absence from the reference of any claimed element negates anticipation.

The Examiner has rejected Claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. §102(b) as being anticipated by Wright '159. Applicants respond to the rejections under 35 U.S.C. §102(b) in the order in which they were given.

Fig. 1 of Wright '159 depicts generally, a connector 10 comprising an insulative housing 12, a conductive connector shell 14 and a contact 16. Wright '159 teaches a

1222-02  
1037908v1

conductive connector shell 14 overlapping a contact 16 wherein the contact 16 can subsequently be inserted into insulative housing 12 to form a connector.

Examiner asserts that Wright '159 discloses an apparatus comprising a keying element means 32, a first ground component 80, a second ground component 90 and a body element 22.

Comparing the Applicants' keying element means to what the Examiner asserts are the keying element means of Wright '159, reveals structural and functional differences between the two. The Applicants disclose a keying element means described in the Specification and seen in Fig. 1 and Fig. 2 as keying mechanism 10. A study of the Applicants' keying mechanism 10 reveals that the Applicants' keying element means has ribs and recesses, and is annular. Wright '159's keying element means, referred to in the Wright '159 application as a cavity 32, is not completely annular, and does not have ribs for keying with an appropriate plug. Fig. 1 of Wright '159 demonstrates that Wright '159's keying element means has a slot 56 extending through the length of Wright 159's keying element means. There is no such slot in the Applicants' keying element means.

Comparing the Applicants' first ground component to what the Examiner has asserted is the first ground component 80 of Wright '159, reveals functional and structural differences between the two. The Applicants' first ground component, shown as keying element 20 in Figs. 1, 2 and 4, illustrates that the Applicants' first ground component is an annular element which provides a grounding connection to a surface. This differs from what the Examiner has asserted is a first ground component of the Wright '159 patent. Wright '159 discloses a tubular inner surface 80 that acts as a conductor shell, not as a grounding element (Wright '159, Col. 3, lines 59-64).

The Examiner asserts that the second ground component of Applicants' invention is taught by the male prong 90 of Wright '159. Applicants' second ground component, seen in Figs. 3 and 4 as grounding extension 38, reveals that the Applicants' second ground component provides mounting for a grounding element 20. The Applicants' grounding extension 38 is annular, whereas the male prong 90 of Wright '159 is a solid tubular conduction element (Col. 4, line 16-17).

Examiner has asserted that Wright '159 discloses a body element referred to in the Wright '159 patent as second length 22. Applicants' teach a body element, seen in Figs. 1, 2, 3 and 4 as body 30. A comparison of the two reveals a multitude of differences. Wright '159 (Col. 4, lines 55-57) shows that a second segment of the conductor shell is adjacent to the second length 22 in the Wright '159 patent, whereas the Applicants have a second component mounted on the body 30.

Applicants respectfully traverse the Examiner's assertion that Wright '159 has disclosed the Applicants' standardized connector means. The Wright '159 patent does not discuss any standardized connector means. Rather, Wright '159 discloses a contact in the form of a female contact comprising a ferule into which a male contact prong may be inserted in a usual manner (Col. 2, lines 63-66). Unlike the Applicants' Specification, Wright '159 makes no indication that its connector is configured according to FAKRA standardization.

Turning now to the rejection of Claim 4, wherein the Examiner asserts that Wright '159 discloses a first ground element removably mounted on a second ground element. These ground elements, referred to in the Wright '159 patent as inner surface 80 and male

prong 90, are mutually exclusive of being mounted on one another because one is a female contact while the other is a male contact.

The Examiner has rejected Claim 5, asserting that the first grounding element, referred to in Wright '159 as the inner surface 80, is annular. A study of Fig. 1 of Wright '159's illustrates an inner surface 80 that is tubular with protrusion mounted thereon. The Applicants' first grounding element however, is an annular element with no protrusions.

Regarding the Examiner's rejection of Claim 6, the Applicants respectfully traverse the Examiner's assertion that the connector of Wright '159 is a printed circuit board jack. Applicants respectfully submit that the only mention of the printed circuit board is in the background section of Wright '159 (Col. 1, lines 21-23). Wright '159 does not teach that the connector of Wright '159 is a printed circuit board jack.

Examiner directed the Applicants' attention to Col. 5, lines 10-12 and 19-22 where the Examiner proffered that Wright '159 discloses "an apparatus comprises a key element means 32, a first ground component 80, a second ground component 90, a body element means 22, jack means for circuit board mounting wherein the first and second grounding means provide a grounding connection upon connection of the keying means". Applicants respectfully assert that a reading of this section reveals vastly different language than the Examiner's quotation. As a result, the Applicants are unable to fully respond to the Examiner's assertion and, moreover, Applicants assert that Claim 7 remains patentable over any disclosure in Wright '159.

§103 Rejections

Claims 3 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wright '159 in view of Applicants' admitted prior art as disclosed on page 2, lines 1-9 of the Application. In light of the arguments stated above, and for the reasons set forth below in detail, Applicants assert that this rejection is now obviated and the claims are allowable. The Examiner has asserted that it would be obvious for one of ordinary skill to modify a connector of Wright '159 by making it a FAKRA standardized connector as disclosed by the Applicants.

If a proposed modification would render the prior art modification being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 221 U.S.P.Q. 1125 (Fed. Cir. 1984). If the connector disclosed in Wright '159 were modified into a standardized FAKRA connector, the connector in Wright '159 would become inoperable. A FAKRA standardized connector must have an annular housing compartment, without slots, to allow proper keying with a plug. However, the housing compartment disclosed by Wright '159 has a slot 56 which allows the pass-through of tab 70 (Wright '159 Col. 3, lines 50-52). If Wright '159 were modified according to FAKRA standards it would close the slot 56. The result would be an inoperable connector.

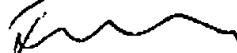
Furthermore, Applicants assert that one skilled in the art would not be motivated to change the connector in Wright '159 to conform with FAKRA standardization schemes. Modifying the Wright '159 housing 12 of Fig. 1 to conform with FAKRA standardization would require substantial modification of that housing. It is well-known in the art that a FAKRA standardized connector is extremely difficult to modify.

Consequently, one would not be motivated to attempt such modification to the Wright '159 connector. Obviousness can only be established by modifying the teachings of the prior art to produce the claimed invention whether it was some teaching, suggestion or motivation to do so found either explicitly or implicitly in the references themselves or in an analogy generally available to one of ordinary skill in the art. *In re Katzab*, U.S.P.Q. 2d 1313, 1317 (Fed. Cir. 2000). The connector in Wright '159 provides no motivation and, in fact, dissuades one skilled in the art from attempting to modify the Wright '159 connector into a FAKRA standardized connector.

Applicants respectfully submit that Claims 1, 2, 4-7, 9 and 10 are not anticipated by Wright '159 and that Claims 3 and 8 are patentable over Wright '159 in view of Applicants' disclosed prior art.

In light of the foregoing, Applicants submit that the entire application is now in condition for complete allowance, which action is respectfully requested.

Respectfully submitted,



Joseph E. Chovanes  
Reg. No. 33,481  
Attorney for Applicants

Date: September 19, 2002

JEC/JEB;dh  
(215) 563-1810

**FAX COPY RECEIVED**

SEP 19 2002

TECHNOLOGY CENTER 2800

1222-02

Please type a plus sign (+) inside this box → PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/024,859
	Filing Date	December 18, 2001
	First Named Inventor	John W. Hall
	Group Art Unit	2833
	Examiner Name	B. Hammond
Total Number of Pages in this Submission	17768	

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers/Recordation Cover Sheet (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) (37 CFR 1.84): <u>Drawing Sheets: FIGS</u>	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Notice re Missing Parts / Corrected Application Papers / Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<u>Remarks</u>		
<p>The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account Number 13-3405. A duplicate copy of this sheet is enclosed.</p>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT****FAX COPY RECEIVED**

Firm or Individual name	Joseph E. Chovanes	SEP 19 2002
Signature	TECHNOLOGY CENTER 2800	
Date	September 19, 2002	

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being facsimile transmitted to the U.S. Patent and Trademark Office (703) 872-9318 on September 19, 2002.

Typed or printed name	Joseph E. Chovanes (Reg. No. 33,481)	Date	September 19, 2002
Signature			

1034720.1

(SHSL Dkt. No. 1222-02)